

Amendment No. 2 to SB3166

Cooper
Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 3166

House Bill No. 3103

By deleting all of the language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 62, Chapter 6, Part 1, is amended by adding a new section thereto, as follows:

Section ____.

(a) All pre-licensing courses designed to assist an applicant in taking an examination as required by the board must be approved by the board before accepting applicants.

(b) A pre-licensing general contractor education course or workshop shall be qualified for approval if the board determines that it:

(1) Constitutes an organized program of learning, including a symposium, which contributes directly to the professional competency of the licensee;

(2) Is related to the practice of general contracting;

(3) Is conducted by individuals considered experts in the subject matter of the program by reason of education, training or experience; and

(4) Is accompanied by a paper, manual or written outline which substantially describes the subject matter of the program.

(c) The board or its representative shall be admitted to pre-licensing general contractor education courses at no charge in order to monitor the persons present, the content of the course, and supporting paperwork.

(d) The person or firm conducting such pre-licensing general contractor education courses must apply to the board for renewal of approval of such courses every three (3) years.

(e) The board may charge a fee for reviewing and approving pre-licensing general contractor education courses, provided such fee shall not be greater than that necessary to carry out the provisions of this act.

(f) The director of the board, acting on behalf of the board, is authorized to issue citations against persons acting in the capacity of or engaging in the business of conducting pre-licensing general contractor education courses without approval of the board as required by this section. Each citation shall be in writing and shall describe with particularity the basis of the citation. Each citation shall contain an order to cease all violations of this chapter and an assessment of a civil penalty in an amount not less than fifty dollars (\$50.00) nor more than two hundred fifty dollars (\$250). The commission shall promulgate rules and regulations to specify those conditions necessary to the issuance of a citation, and the range of penalties for violations of this chapter.

SECTION 2. The board is authorized to promulgate rules and regulations pursuant to title 4, chapter 5, to effectuate the provisions of this act.

SECTION 3. For the purpose of promulgating rules and for reviewing and approving pre-licensing general contractor education courses, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes this act shall take effect September 1, 2006, the public welfare requiring it.